

Planning and Zoning Commission
February 10, 2026

A regular meeting of the Planning & Zoning Commission of the City of Waxahachie was held at the Waxahachie Civic Center, 2000 Civic Center Lane, Meeting Rooms A and B, Waxahachie, Texas, on Tuesday, February 10, 2026 at 7:00 p.m.

Members Present: Wendy Johnson, Chair
Jenny Bridges, Vice Chair
Terry Connor
Ryan Simpson
Bart Underwood

Members Absent: Jimmy Poarch
Chad Hicks

Others Present: Shon Brooks, Executive Director of Development Services
Trenton Robertson, Senior Director of Planning
Zack King, Planning Manager
Patrick Souter, Council Representative
Amber Villarreal, City Secretary

1. Call to Order

Chair Wendy Johnson called the meeting to order.

2. Invocation

Ryan Simpson gave the invocation.

3. Public Comments

None.

4. Consent Agenda

- a. Minutes of the regular Planning & Zoning Commission meeting of January 27, 2026
- b. Minutes of the regular Planning & Zoning Commission meeting of January 29, 2026
- c. Consider a request by Joey Stephens, Stephens Engineering, for a Replat of Block A, Lot 9 of the Buffalo Creek Addition, to create 2 non-residential use lots, being 5.13 acres, located at 51 Indian Drive (Property IDs 295119, 313308– Owners: Buffalo Creek Plaza LLC & OV Waxahachie LLC (SUB-1-2026)
- d. Consider a request by Gerado Garcia, for a Plat of Garcia ADDITION, lot 1, Block A being 4.08 acres, located immediately to the north of 1664 FM 387, situated in the Ashton Slayback Survey, Abstract No. 1005 and the John F. Stroope Survey Abstract No. 1042, an addition to the City of Waxahachie (Property ID 294342 & 297998) – Owners: Gerado Garcia and Crystal Rodriguez (SUB-2-2026)

Action:

Jenny Bridges moved to approve the Consent Agenda, subject to the recommendations of staff. Motion was seconded by Ryan Simpson and carried unanimously (5-0).

5. Public Hearing on a request by Derrick & Shawna Cunningham for a Specific Use Permit (SUP) for a Short-Term Rental use within a Single Family-2 (SF-2) zoning district located at 707 Dunn Street (Property ID 173450) - Owner: Derrick & Shawna Cunningham (ZDC-172-2025)

Planner David Jones presented the Item. The applicant requests a SUP for short-term rental use at 707 Dunn Street because it is located within the SF-2 zoning district. The subject property consists of a primary structure being approximately 1,032 square feet in size, three (3) bedrooms, and will have a maximum of three (3) parking spaces. The applicant has requested to limit the occupancy to six guests. The subject property is situated on an approximately 0.2280 acres (9,931 square foot) lot. The applicant has not been operating the subject property as a short-term rental; therefore, they have not been paying local hotel occupancy taxes. The Ellis County Appraisal District (ECAD) identifies the subject property as a Homestead.

During the planning analysis, staff inquired with the Waxahachie Police Department and discovered that there were no nuisance-related calls at this address. The applicant's local emergency contact is Derrick & Shawanna Cunningham, 491 Krajca Rd, Ennis, 75119, which is located approximately 20 miles from the subject property.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 21 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. At the time of the publishing this staff report, a total of four (4) letters of support and nine (9) letters of opposition were received by staff.

Chair Johnson opened the Public Hearing at approximately 7:03 p.m.

There being no others to speak for or against ZDC-172-2025, Chair Johnson closed the Public Hearing at approximately 7:03 p.m.

6. Consider recommendation of ZDC-172-2025

Action:

Ryan Simpson moved to recommend approval of ZDC-172-2025, a Specific Use Permit for a Short-Term Rental use, subject to the conditions of the staff report, authorizing the Mayor and/or City Manager to execute all documents accordingly. Motion was seconded by Jenny Bridges and carried unanimously (5-0).

7. Public Hearing on a request by Kelly Dlabaj for an Amendment to Ordinance No. 3121, to eliminate the requirement for a HOA Amenity lot within an approved 7-lot Planned Development-Single Family-3 (PD-SF-3) zoning district located at 300 Haley Drive (Property ID 314068) - Owner: Kelly Dlabaj and Adrian Tijerina (ZDC-178-2025)

Planner Caleb Ensley presented the Item and owner Kelly Dlabaj requested approval. The applicant intends to amend Ordinance 3121 to eliminate the required HOA amenity lot in an approved 7-lot Creek Planned Development.

Ordinance 3121 was approved on June 17, 2019. The approved ordinance required an HOA amenity lot that contained required improvements such as two gazebos and a fountain. However, these amenities were never constructed, with a bird bath and shade cover being constructed instead. Shortly after the installation of these amenities, these improvements were promptly removed, while the adjacent residential fence extended to encompass the amenity lot, while also expanding into the backyard of the adjacent residents.

The applicant is proposing to eliminate the designated HOA amenity lot within this Planned Development. The lot the applicant purchased, 300 Haley Drive, was bought with the understanding that the subject property was incorporated within their property boundary based off existing and longstanding fencing. However, the area in which the fencing was placed was originally dedicated as an HOA amenity lot both under Ordinance No. 3121, and the existing plat for this project, but was never developed as required since the passing of this ordinance or upon plat filing. The entitled amenities delineated within this ordinance, such as two gazebos and a fountain were never constructed; with the area being used as a private rear and side yard, and maintained, by residents of the two directly adjacent lots because of the current configuration of the existing fencing. Before the applicant was made aware of the existing HOA lot, to resolve this initial boundary dispute, the applicant negotiated and executed a signed agreement with the owners of 304 Haley Drive to transfer them the portion of the parcel that directly connects with their part of the property. The applicant is looking at amending the approved Planned Development so that the amenity lot is no longer reflected under the current ordinance; thereby reflecting the current configuration and character of the subject property. This amendment will remove this amenity designation that was never developed and would allow for a potential future replat and land dedication of the property that is consistent with present zoning regulations.

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 22 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Sun and a sign was visibly posted at the property. Staff has received three (3) letters of support and one (1) letter of opposition for the proposed zoning change.

Chair Johnson opened the Public Hearing at approximately 7:11 p.m.

There being no others to speak for or against ZDC-178-2025, Chair Johnson closed the Public Hearing at approximately 7:11 p.m.

8. Consider recommendation of ZDC-178-2025

Action:

Jenny Bridges moved to recommend approval of ZDC-178-2025, a Planned Development Amendment to eliminate the requirement for an HOA amenity lot within an approved 7-lot Planned Development-Single Family-3 zoning district, subject to the conditions of the staff report. Motion was seconded by Ryan Simpson and carried unanimously (5-0).

9. Adjourn

Senior Planning Director Trenton Robertson announced that he is working with the City Attorney to coordinate training for the Commission and will provide additional details soon.

There being no further business, the meeting adjourned at 7:13 p.m.

Respectfully submitted,

David Jones, Planner